IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.1361 OF 1996
IN
SUMMONS FOR JUDGMENT NO.196 OF 1994
IN
SUMMARY SUIT NO.2026 OF 1992

1. Ashwin Kamdar, of Bombay
Indian Inhabitant, residing
at 601/A, Shanta Ashish,
Irla Lane, Opp.Dadabhai Road,
Vile Parle, Bombay-400058.

2. Lalit Goswami of Bombay
Indian Inhabitant residing at
1014, La Papeyon Apartments
10th Floor, 5A Mount Mary Road,
Bandra (West), Bombay 400 050. .. Appellants

(Orig.Defendants
Nos.3 and 4)

v/s.

1. Punjab & Sind Bank, a
body corporate incorporated
pursuant to the provisions
of the Banking Companies
(Acquisition & Transfer of
Undertakings) Act of 1980
its Head Office at 21,
Rajendra Place, New Delhi,
and one of its Branch office
at International Banking
Division, Dilwara Society
near Cooperage Telephone
Exchange, Nariman Point,
Bombay 400 021.

2. Uday Pratap Kapadia
of Bombay, Indian Inhabitant
carrying on business in the
name and style of M/s.Ahuja
Enterprises.
having its office at 16/3,
Darya Bldg., 375, D.N.Road,
Fort, Bombay-400 023.

3. Tejinder Singh of Bombay
Indian Inhabitant, residing
at 21B, Land Breeze, Bandra,
Bombay-400 050.

4.
of Bombay Indian Inhabitant
having his office at .. Respondents
(orig.plaintiffs

and Org.Defendants
Nos.1,2 and 5)

None appears for the appellants.

Mr.Rajan Jaykar for the respondent No.1.

CORAM : R.M. LODHA AND
J.P. DEVADHAR, JJ.

DATED : 2nd August, 2005

ORAL JUDGMENT (Per R.M.Lodha, J.)

None appears for the appellants. Mr.Rajan Jaykar, advocate appears for the respondent No.1-Punjab and Sind Bank.

2. We are informed by the learned counsel for the respondent-bank that Summary Suit No.2026 of 1992 out of which the present appeal arises was transferred to the Debts Recovery Tribunal-II, Mumbai. He further submits that by the judgment delivered on 14th January, 2005, the said suit has been disposed of by the Debts Recovery Tribunal.

3. In view thereof, we find that the appeal has become infructuous. We dispose of the appeal accordingly.

No costs.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)